IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO.323 OF 2005

Shitla Prasad C. Gupta. .. .. Petitioner
v/s.
Mumbai Municipal Corpn. & anr. .. Respondents

W I T H

WRIT PETITION (L) NO.324 OF 2005

Subhashchandra M. Gupta. .. Petitioner
v./s.
Mumbai Municipal Corpn. & anr. .. Respondents

W I T H

Radheshyam Ramnarayan Yadav. .. Petitioner
v/s.
Mumbai Municipal Corpn. & anr. .. Respondents

W I T H

WRIT PETITION (L) NO.326 OF 2005

Ramswarath V. Gupta. .. .. Petitioner
v/s.
Mumbai Municipal Corpn. & anr. .. Respondents

W I T H

WRIT PETITION (L) NO.327 OF 2005

Gulabchand Lalchand Gupta. .. Petitioner
v/s.
Mumbai Municipal Corpn. & anr. .. Respondents

Mr.Vijay Kantharia i/by Mr.S.D. Bhosale for petitioners.

Ms.P.A.Purandare for res.No.1.

Mr.Jadhav, AGP for respondent No.2.
(In all the above matters)

CORAM : H.L. GOKHALE &
S.C.DHARMADHKARI, JJ.

DATED : 3RD FEBRUARY 2005

P.C. :

1. Heard Mr.Kantharia for the petitioners in all the above petitions. Ms.Purandare appears for respondent No.1 and Mr.Jadhav, AGP appears for respondent No.2.

2. The petitioners are apprehending demolition of their structures. They claim to have record of their residences at Laxmi Nagar Zopadpatti, Goregaon (West), Mumbai, prior to 1st January 1995. Since the disputed questions of facts are involved, it will be proper that they should file suits.

3. Mr.Kantharia seeks to withdraw all the above petitions with liberty to file suits. Presently, no action of demolition is contemplated as stated by Mr.Jadhav, learned AGP. The respondents will not proceed with any action of demolition against the structures of the petitioners for a period of two weeks hereafter.

4. Petitions are allowed to be withdrawn with liberty.

(H.L. GOKHALE, J.)

(S.C.DHARMADHIKARI, J.)